

08/25/00
JC916 U.S. PTO

08-28-00

A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application) PATENT APPLICATION
Inventor(s): David Yinkai Chao)
SC/Serial No.: Unknown)
Filed: Herewith)
Title: EYEGLOSS COMBINATION HAVING)
AN AUXILIARY FRAME)

JC936 U.S. PTO
09/646071
08/25/00

CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 C.F.R. §1.10

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Date of Mailing: August 25, 2000

I hereby certify that this correspondence is being deposited with the United States Postal Service, utilizing the "Express Mail Post Office to Addressee" service addressed to **Assistant Commissioner for Patents, Washington, DC 20231** and mailed on the above Date of Mailing with the above "Express Mail" mailing label number.

Matthew Mahling (Signature)

Matthew Mahling

Signature Date: August 25, 2000

CONTINUATION APPLICATION TRANSMITTAL LETTER
UNDER 37 C.F.R. §1.53(b)(1)

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

Transmitted herewith for filing as a X continuation divisional application under the continuing application procedure of 37 C.F.R. §1.53(b)(1) is a patent application identified as follows:

Title: EYEGLOSS COMBINATION HAVING AUXILIARY FRAME

Inventor(s): David Yinkai Chao

No. of Pages in Specification: 11, No. of Claims: 9.

No. of Sheets of Drawings: 1; Formal: or Informal: X.

Identification of Prior Complete Application

SC/Serial No.: 08/847,711

Art Unit: 2873

Filed: 04/28/1997

Examiner: Dang, H.

Title: EYEGLOSS COMBINATION HAVING AUXILIARY FRAME

Inventor(s): David Yinkai Chao

Delete the Following Inventor(s) for This Application: (none)

Declaration

☒

A copy of the Declaration (signed by all inventors) from the Prior Complete Application is submitted herewith.

Amendments

Please CANCEL in this application original claims _____ of the prior complete application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.) However, if this instruction results in cancellation of all original claims, please instead retain the lowest numbered original claim.

Please AMEND the specification by [deleting the amendatory sentence before the first line of the application and inserting therefor:] [inserting before the first line of the application:] "This application is a _____ of Serial No. ____, filed _____, [now abandoned,] [which is a continuation of Serial No. ____, filed _____]."

A preliminary amendment is enclosed. Please enter the preliminary amendment before calculating the application filing fee. (Claims added must be consecutively numbered beginning with next number after highest number in prior complete application.)

Petition for Extension of Time to Respond

☒

No extension of time is required for the prior complete application.

Pursuant to 37 C.F.R. §1.136(a), enclosed is a petition for an extension of time for the prior complete application, up to and including today, for responding to the Office action together with the fee set by 37 C.F.R. §1.17.

Power of Attorney

☒ A power of attorney appears in the prior complete application.

☐ A new power of attorney is submitted herewith.

Assignment

☒ The prior application is assigned of record to:
Contour Optik, Inc.

☐ An assignment of the invention to: _____ is submitted herewith,
together with an ASSIGNMENT RECORDATION FORM COVER SHEET
and recordal fee of \$40.00.

Claim of Priority

☐ Priority of foreign application Serial No. _____, filed on _____, in _____
is claimed under 35 U.S.C. §1.119.

☐ The certified copy was filed in prior U.S. application Serial No. _____, filed
_____.

Small Entity Statement

☐ Statement(s) claiming small entity status is (are) submitted herewith.

☒ Statement(s) claiming small entity status was filed in the grandparent
application Serial No. 08/847,711, on April 28, 1997 and its benefit under 37
C.F.R. §1.28(a) is hereby claimed.

Also Enclosed Are:

☐ An Information Disclosure Statement under 37 C.F.R. §1.56.

Filing Fee

The continuation/divisional patent application filing fee is calculated as shown below:

No. Filed	No. Extra		Rate Small Entity/ Other Than Small Entity		
Basic Fee			\$345.00 \$690.00	=	\$345.00
Total Claims <u>9</u> ** - 20 = <u>0</u> *		X	\$ 9.00 \$ 18.00	=	\$-0-
Independent Claims <u>3</u> ** - 3 = <u>0</u> *		X	\$ 39.00 \$ 78.00	=	\$-0-
First Presentation of Multiple Dependent Claim(s) _____			\$130.00 \$260.00	=	\$-0-
Total PATENT APPLICATION FILING FEE:					\$345.00

* If the difference is less than zero, enter "0".

** Count claims after any amendment.

Method of Payment of Fees

The total fee associated with this communication is calculated as follows:

Patent application filing fee	\$345.00
Net fee for extension of time (See attached petition)	\$
Assignment recordal fee (See attached cover sheet)	\$
TOTAL FEE DUE:	\$345.00

X A check in the amount of the TOTAL FEE DUE is enclosed.

X The Commissioner is hereby authorized to charge underpayment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1325. A **duplicate** copy of this CONTINUATION OR DIVISIONAL APPLICATION TRANSMITTAL LETTER UNDER 37 C.F.R. §1.53(b)(1) form is enclosed.

Correspondence Address

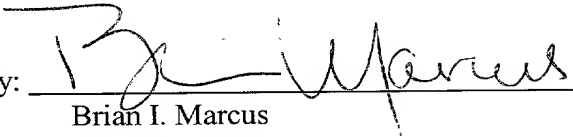
All correspondence should be addressed as follows:

Sheldon R. Meyer, Esq.
FLIESLER, DUBB, MEYER & LOVEJOY LLP
Four Embarcadero Center, Suite 400
San Francisco, California 94111-4156
Telephone (415) 362-3800

Direct all telephone calls to the undersigned attorney at (415) 362-3800.

Respectfully submitted,

Date: August 25, 2000

By: 
Brian I. Marcus
Reg. No. 34,511

FLIESLER, DUBB, MEYER & LOVEJOY LLP
Four Embarcadero Center, Suite 400
San Francisco, California 94111-4156
(415) 362-3800

TITLE: EYEGLASS COMBINATION HAVING AUXILIARY FRAME

BACKGROUND OF THE INVENTION

1. Field of the Invention

05 The present invention relates to a pair of eyeglasses, and more particularly to a pair of eyeglasses having an auxiliary frame for supporting auxiliary lenses.

2. Description of the Prior Art

10 The closest prior art of which applicant is aware is US Patent 5,568,207 to Chao and has been assigned to the present assignee. The primary frame are required to be engaged with magnets for actuating with the magnets engaged in the auxiliary frame, such that the auxiliary frame may not be attached to typical spectacle frame
15 having no magnets therein.

The present invention has arisen to mitigate and/or obviate the afore-described disadvantages of the conventional auxiliary spectacle frames.

SUMMARY OF THE INVENTION

20 The primary objective of the present invention is to provide an auxiliary frame for attaching typical spectacle frame having no magnets therein.

The other objective of the present invention is to provide a primary frame and an auxiliary frame having
25 magnets disposed laterally.

In accordance with one aspect of the invention, there is provided an eyeglass combination comprising a

primary frame including a first bridge and including two sides each having a stud, and an auxiliary frame for disposing in front of the primary frame, the auxiliary frame including a second bridge and including two sides each having an extension extended rearward toward the primary frame and extended over the studs, the extensions each including a rear end having a first flange extended downward for engaging with the stud and for securing the auxiliary frame to the primary frame.

10 The studs of the primary frame are made of magnetic material, the first flanges each includes a magnet for engaging with the studs of magnetic material and for securing the auxiliary frame to the primary frame.

15 The studs of the primary frame each includes a first magnet, the first flanges each includes a second magnet for engaging with the first magnet of the stud and for securing the auxiliary frame to the primary frame.

20 The first and the second magnets each includes a
first pole and a second pole disposed in front of the
first pole.

The second bridge includes an arm extended over the first bridge of the primary frame, the arm includes a rear end having a second flange extended downward for engaging with the first bridge and for securing the auxiliary frame to the primary frame.

over the studs, the second bridge including an arm extended rearward, the extensions and the arm each including a rear end having a flange extended downward for engaging with the stud and the first bridge and for
05 securing the auxiliary frame to the primary frame.

The studs and the first bridge of the primary frame are made of magnetic material, the flanges each includes a magnet for engaging with the studs and the first bridge of magnetic material and for securing the
10 auxiliary frame to the primary frame.

Further objectives and advantages of the present invention will become apparent from a careful reading of a detailed description provided hereinbelow, with appropriate reference to accompanying drawings.

15 BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is an exploded view of an eyeglass combination having an auxiliary frame in accordance with the present invention;

FIG. 2 is a perspective view of the eyeglass
20 combination; and

FIG. 3 is a cross sectional view taken along lines 3-3 of FIG. 2.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

Referring to the drawings, and initially to FIGS.
25 1 and 2, an eyeglass combination in accordance with the present invention comprises a primary frame 10 for supporting primary lenses 90 and including a bridge 11

formed in the middle and including two studs 12 formed
in the side portions. The bridge 11 and the studs 12
each includes a magnet 14 disposed laterally having a
pole (such as S as shown in FIG. 3) arranged in front
05 of the other (N in FIG. 3).

An auxiliary frame 20 for supporting auxiliary
lenses 91 and for disposing in front of the primary
frame includes a bridge 21 and two extensions 22
disposed in the side portions and extended rearward for
10 engaging over the bridge 11 and the studs 12 of the
primary frame 10 respectively. The bridge 21 includes
an arm 24 extended rearward. The extensions 22 and the
arm 24 each includes a rear end having a flange 23, 25
dependent downward. The flanges 23, 25 each includes a
15 magnet 26 disposed laterally having a pole (S in FIG.
3) arranged in front of the other (N in FIG. 3) for
allowing the S pole to engage with the N pole of the
magnet 14 of the primary frame 10.

It is to be noted that the flanges 23, 25 of the
20 extensions 22 and of the arm 24 are extended downward
for engaging with the studs 12 and the bridge 11 such
that the flanges 23, 25 themselves form a hook means
for securing the auxiliary frame 20 to the primary
frame 10. In addition, the magnets 14, 26 are disposed
25 laterally such that the flanges 23, 25 may further be
stably and solidly attracted and retained in place.

It is further to be noted that the flanges 23, 25

may also be used to hook to the typical eyeglasses having no magnets engaged therein, such that the auxiliary frame 20 may be attached to any of the typical eyeglasses. Particularly, when the typical
05 eyeglasses are made of metal or other magnetic materials, the magnets 26 of the auxiliary frame 20 may also be used for attracting the typical eyeglasses and may also be used for solidly securing the auxiliary frame to the typical eyeglasses.

10 It is also to be noted that with only the arm 24 and the magnet 26 therein, the auxiliary frame 20 may also be solidly secured to the primary frame 10. Without the arm 24 and without the magnets 26, the auxiliary frame 20 may also be secured to the primary
15 frame 10 by engaging the flanges 23 with the studs 12. The provision of the magnets 26 and 14 may further solidly secure the auxiliary frame 20 to the primary frame 10.

Accordingly, the eyeglass combination in
20 accordance with the present invention includes an auxiliary frame having a pair of extensions and/or an arm for engaging with the studs and/or the bridge of the primary frame, for allowing the auxiliary frame to be secured to various kinds of eyeglasses having no
25 magnets therein. In addition, the provision of the flanges 23, 25 may also be used for solidly securing the auxiliary frame to the primary frame 10.

Although this invention has been described with a certain degree of particularity, it is to be understood that the present disclosure has been made by way of example only and that numerous changes in the detailed construction and the combination and arrangement of parts may be resorted to without departing from the spirit and scope of the invention as hereinafter claimed.

04 front of said first pole.

5. An eyeglass combination according to claim 1,
wherein said second bridge includes an arm extended
over said first bridge of said primary frame, said arm
includes a rear end having a second flange extended
05 downward for engaging with said first bridge and for
securing said auxiliary frame to said primary frame.

6. An eyeglass combination according to claim 5,
wherein said first bridge of said primary frame
includes a first magnet, said second flange includes a
second magnet for engaging with said first magnet of
05 said first bridge and for securing said auxiliary frame
to said primary frame.

7. An eyeglass combination comprising:

a primary frame including a first bridge, said
first bridge including a first magnet, and

an auxiliary frame for disposing in front of said
05 primary frame, said auxiliary frame including a second
bridge having an arm extended rearward toward said
primary frame and extended over said first bridge, said
arm including a rear end having a flange extended
downward for engaging with said first bridge and for
10 securing said auxiliary frame to said primary frame,
said flange including a second magnet for engaging with
said first magnet and for securing said auxiliary frame
to said primary frame.

8. An eyeglass combination comprising:

a primary frame including a first bridge and including two sides each having a stud, and

an auxiliary frame for disposing in front of said
05 primary frame, said auxiliary frame including a second
bridge and including two sides each having an extension
extended rearward toward said primary frame and
extended over said studs, said second bridge including
an arm extended rearward, said extensions and said arm
10 each including a rear end having a flange extended
downward for engaging with said stud and said first
bridge and for securing said auxiliary frame to said
primary frame.

9. An eyeglass combination according to claim 8,
wherein said studs and said first bridge of said
primary frame are made of magnetic material, said
flanges each includes a magnet for engaging with said
05 studs and said first bridge of magnetic material and
for securing said auxiliary frame to said primary
frame.

ABSTRACT OF THE DISCLOSURE

An eyeglass combination includes a primary frame having a bridge and two side studs. An auxiliary frame includes a bridge and two side extensions each having a rear flange for engaging with the stud and for allowing the auxiliary frame to be secured to typical primary frame. The rear flanges each includes a magnet for engaging with another magnet engaged in the studs or for engaging with the studs of magnetic material. The magnets are preferably disposed laterally.

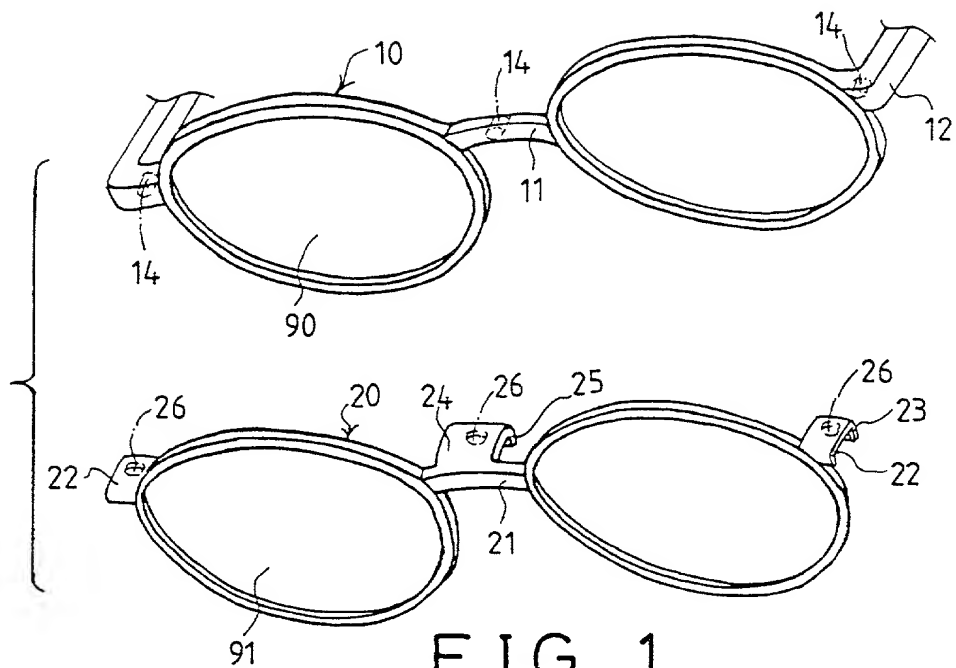


FIG. 1

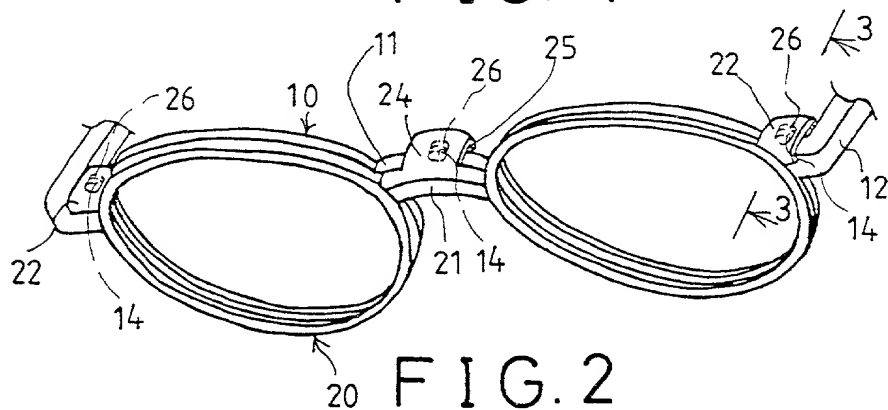


FIG. 2

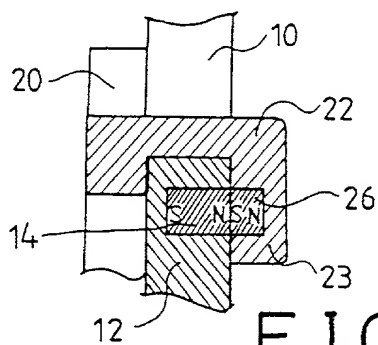


FIG. 3

Docket No. MK1718WWD

COMBINED DECLARATION/POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

EYEGLASS COMBINATION HAVING AUXILIARY FRAME

the specification of which (check one)
☒ is attached hereto

☐ was filed on _____
as U. S. Application
Serial No. _____
and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefit(s) under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

(Number)	(Country)	Day/Month/Year Filed	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Number)	(Country)	Day/Month/Year Filed	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Number)	(Country)	Day/Month/Year Filed	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37 Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorneys and agent:

RAYMOND KAM-ON KWONG, ESQ. PTO REG# 37,165;

transact all business in the Patent and Trademark Office connected therewith. to prosecute this application and

Send correspondence to: RAYMOND KAM-ON KWONG
1062 Oakridge Drive
Fremont, CA 94539
Direct telephone calls to: (510) 659-9083

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor David Yinkai CHAO

Inventor's Signature [Signature]

Date April 12, 1997

Residence 1120 Green Acre Road, Towson, MD 21204 U.S.A.

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